

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: William J. Curatolo, et al.

: Examiner: B. Fubara

SERIAL NO.: 09/770,562

: Art Unit: 1618

FILED: January 26, 2001

FOR: Solid Pharmaceutical Dispersions
With Enhanced Bioavailability

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE (AMENDMENT) TO NON-FINAL OFFICE ACTION

This is in response to the Office Action mailed on May 17, 2006 in the above-identified application, the term for response having been extended 2 (two) months to October 17, 2006 by including the appropriate fee and petition herewith.

A current claim summary is appended hereto, starting on its own separate sheet.

Remarks

As a preliminary matter, please note the Rule 132 Declaration of Scott B. McCray submitted herewith, as further discussed below.

The Amendments

The amendments herein have been made to advance the prosecution of this application and to reduce the issues for consideration by the Examiner. The Examiner's attention is further directed to the arguments and the evidence presented by way of the Rule 132 Declaration presented herewith.

Claims 7, 10, 11, and 13 have been canceled, along with claims 24 and 25 that depended, respectively, from claims 7 and 11.

Claims 1 and 15, have been amended to state that the drug:polymer weight ratio is between 1:0.4 and 1:20, as opposed to the former range of 1 to 0.5 to 1 to 100. Support is in the application at page 17, lines 4 to 6. In view of these amendments and the cancellation of all other claims from which claim 52 had depended, claim 52 has been canceled as well.